



October 24, 2019

AFM PA-2019-05

Policy Alert (AFM)

SUBJECT: Sample Notice of Filing Application for Permanent Employment Certification

Purpose

U.S. Citizenship and Immigration Services (USCIS) is updating the Adjudicator's Field Manual (AFM) to provide a sample notice of filing an Application for Permanent Employment Certification ([ETA Form 9089](#)) that complies with all regulatory requirements.

Background

An employer who files an Application for Permanent Employment Certification with the U.S. Department of Labor (DOL) must provide notice of such filing.¹ The regulations also require the notice to state that anyone may provide documentary evidence bearing on the application to the DOL certifying officer and list the appropriate certifying officer's address.²

In September 2009, USCIS issued a policy memorandum to update the sample notice of filing in the AFM.³ USCIS has determined that the sample notice of filing requires revisions to fix certain technical errors, such as an inactive website link. This update ensures that the sample notice of filing complies with all regulatory requirements.⁴

Policy Highlights

- Updates the sample notice of filing an Application for Permanent Employment Certification to ensure the notice complies with all regulatory requirements.

Citation

[AFM Chapter 22.2\(b\)\(4\)\(C\)\(v\) Sample Notice of Filing](#)

¹ See [20 CFR 656.10\(d\)](#).

² See [20 CFR 656.10\(d\)\(3\)\(ii\)-\(iii\)](#).

³ See USCIS Policy Memorandum, [Revisions to Adjudicator's Field Manual \(AFM\), Chapter 22.2\(b\) General Form I-140 Issues \(AFM Update AD07-26\)](#), issued September 14, 2009.

⁴ See [20 CFR 656.10\(d\)\(3\)](#).